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Resolution 1417 (2002)

Adopted by the Security Council at its 4554th meeting, on 14 June 2002

The Security Council,

Recalling its previous resolutions and statements by its President regarding the Democratic Republic of the Congo, in particular resolution 1355 of 15 June 2001,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all other States in the region,

Reaffirming further the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes and principles of the United Nations,

Reaffirming also the sovereignty of the Democratic Republic of the Congo over its natural resources, and, in this respect, looking forward to receiving the report by the Panel of Experts on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo and the link between the exploitation and the continuation of the conflict,

Recalling the responsibilities of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC),

Acknowledging the positive role of the Facilitator and of the President of South Africa in the conduct of the Inter-Congolese Dialogue in Sun City, South Africa,

Taking note of the idea of a curtain of troops, which was raised during the Security Council mission to the Great Lakes region, and *encouraging* the Secretary-General, if asked to do so by the parties, to instruct MONUC to facilitate the development of this idea, with a view to possible support to its implementation, including by sending observers,

Recognizing the importance of electoral support in achieving governmental transition in the Democratic Republic of the Congo, and *expressing its intention*, once an all-inclusive transitional Government is in place, to consider the role the international community, in particular MONUC, might play in support to the electoral process,

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Underlining that the main responsibility for resolving the conflict rests with the parties,

Taking note of the Secretary-General's report of 5 June 2002 (S/2002/621) and its recommendations,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

1. *Decides* to extend the mandate of MONUC until 30 June 2003;

2. *Calls upon* Member States to contribute personnel to enable MONUC to reach its authorized strength of 5,537, including observers, within the time frame outlined in its concept of operation;

3. *Takes note* of the recommendation by the Secretary-General for a troop ceiling increase and expresses its intention to consider authorizing it as soon as further progress has been achieved and the steps referred to in paragraph 12 of resolution 1376 (2001) of 9 November 2001 have been taken;

4. *Condemns* ethnically and nationally based calls for violence and the killings and attacks against civilians and soldiers that followed the events that took place on 14 May and thereafter in Kisangani, *looks forward to* receiving the joint report and recommendations by MONUC and the Office of the High Commissioner for Human Rights on the violence in Kisangani, and *reiterates* that it holds the Rassemblement Congolais pour la Democratie-Goma, as the de facto authority, responsible to bring to an end all extrajudicial executions, human rights violations and arbitrary harassment of civilians in Kisangani, and all other areas under RCD-Goma's control, and that it demands the demilitarization of Kisangani;

5. *Condemns* the exploitation of ethnic differences in order to incite or carry out violence or human rights violations, *deplores* the humanitarian impact of such abuse, and in this regard *expresses particular concern* at the situation in the Ituri region and in South Kivu, in particular in the Hauts Plateaux, and *calls on* the de facto authorities in the regions affected to ensure the protection of civilians and the rule of law;

6. *Reiterates* its full support for the Special Representative of the Secretary-General and for all the dedicated MONUC personnel who operate in challenging conditions, *demands* that RCD-Goma provide full access and lift all restrictions on MONUC personnel, and fully cooperate with MONUC in the implementation of its mandate, and *urges* Rwanda to exert its influence to have RCD-Goma meet without delay all its obligations;

7. *Recalling* paragraph 8 of resolution 1291 (2000) of 24 February 2000 and paragraph 19 of resolution 1341 (2001) of 22 February 2001, *supports* the steps outlined in paragraphs 25 and 71 of the Secretary-General's report (S/2002/621) and *reaffirms* MONUC's mandate to take the necessary action in the areas of deployment of its armed units and as it deems it within its capabilities:

- to protect United Nations and co-located Joint Military Commission personnel, facilities, installations and equipment,
- to ensure the security and freedom of movements of its personnel,
- and to protect civilians under imminent threat of physical violence;

8. *Requests* MONUC to proceed expeditiously in the deployment of the additional 85 police trainers to Kisangani as endorsed in the statement of its President dated 24 May 2002, once MONUC determines that the necessary security conditions are in place;

9. *Supports* MONUC's role in Disarmament, Demobilization, Repatriation, Resettlement, and Reintegration (DDRRR) as authorized in relevant Security Council resolutions, *welcomes* its deployment to Kisangani and Kindu, *encourages* it to move quickly to respond to any signs of interest in voluntary DDRRR by uncontrolled armed groups in the eastern parts of the Democratic Republic of the Congo, within its current means, and *calls for* the full cooperation of all the parties on DDRRR, including on the DDRRR of the ex-combatants of Kamina, and for the provision of the necessary planning information referred to in paragraph 12 (ii) of resolution 1376 (2001);

10. *Welcomes* the commitments made by the President of the Democratic Republic of the Congo, during the Security Council mission to the Great Lakes, not to support the armed groups referred to in Annex A, Chapter 9.1 of the Lusaka Ceasefire Agreement and regarding the cooperation with the International Criminal Tribunal for Rwanda and, in this regard, *urges* the Government of the Democratic Republic of the Congo fully to implement these commitments and urgently to take all necessary steps to ensure that its territory is not used to support these armed groups;

11. *Stresses* that the reduction in the number of foreign forces in the territory of the Democratic Republic of the Congo is encouraging, *demands* the total and expeditious withdrawal of all foreign forces, in accordance with its previous resolutions, without which the conflict cannot be resolved, and, in this regard, *reiterates* that all parties must transmit to MONUC, in accordance with the Lusaka Ceasefire Agreement and Security Council resolutions, in particular resolution 1376 (2001), the plans and timetables for the total withdrawal of their troops from the territory of the Democratic Republic of the Congo;

12. *Encourages* the parties, especially the Government of the Democratic Republic of the Congo and the Government of Rwanda, to address the fundamental security issues at the heart of the conflict and, in this context, to explore the scope for further confidence-building measures, such as the idea discussed during the Security Council mission to the Great Lakes region of a curtain of troops, as an interim measure aimed at ensuring border security in the final stages of withdrawal, and *encourages* the parties to follow up on their initial positive reaction and develop this idea;

13. *Reiterates* its support for the Inter-Congolese Dialogue and *encourages* the Government of the Democratic Republic of the Congo, Mouvement pour la Libération du Congo (MLC) and RCD-Goma to hold new discussions as soon as possible, in good faith, and without precondition, taking into account the progress in the Inter-Congolese Dialogue achieved in Sun City, in order to reach an all-inclusive agreement on the political transition, with the support of all the Congolese parties to the Inter-Congolese Dialogue;

14. While reaffirming that the primary responsibility for this dialogue lies with the Congolese themselves, *stresses* the importance of a strong United Nations

role in support of this process and, in this respect, *supports* the efforts of the newly appointed Special Envoy of the Secretary-General, Mr. Mustapha Niasse;

15. *Requests* all parties and relevant States to extend their full cooperation to the Panel of Experts on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo and the link between the exploitation and the continuation of the conflict;

16. *Requests* the Secretary-General to report at least every four months to the Council on progress on the implementation of this resolution;

17. *Decides* to remain actively seized of the matter.